Examiner: R. DeWitty

Group Art Unit: 1616

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

William J. Curatolo, et al.

APPLICATION NO.: 09/803,628

FILING DATE: March 9, 2001

TITLE: Controlled-Release Dosage Forms of Azithromycin

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97 ET SEQ.

Applicant(s) herein make(s) available to the U.S. Patent and Trademark Office a copy of PTO-FB-A820 which lists the references cited by the applicant(s), copies of which are enclosed.

The Examiner is requested to consider carefully the complete text of these references in connection with the examination of the above-identified application in accord with 37 C.F.R. § 1.104(a). It is believed the Examiner will concur with applicant's belief that the subject matter presently claimed is neither anticipated nor rendered obvious by the foregoing references.

It is requested that the references listed on the attached form PTO-FB-A820 be included in the "References Cited" portion of any patent issuing from this application (M.P.E.P. § 1302.12).

The Commissioner is hereby authorized to charge the sum of \$180.00 to Deposit Account No. 16-1445 to cover the cost of this submission in accordance with 37 CFR 1.97(c) and 1.17(p). The Commissioner is further authorized to charge any additional fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment, to Account No. 16-1445.

A prompt and favorable response is earnestly solicited.

Respectfully submitted,

Date: SEPTEMBER 23, 2003

James T. Jones

Attorney for Applicant(s)

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INFORMATION DISCLOSURE CITATION SERIAL NO. ATTY. DOCKET NO. PC8626CJTJ 09/803,628 (Use several sheets if necessary) APPLICANT William J. Curatolo, et al. **GROUP** Page 1 of 1 FILING DATE March 9, 2001 1616 **U.S. PATENT DOCUMENTS** EXAMINER INITIAL DOCUMENT NUMBER DATE NAME SUBCLASS FILING DATE IF APPROPRIATE CLASS **FOREIGN PATENT DOCUMENTS** DOCUMENT NUMBER DATE COUNTRY SUBCLASS CLASS YES NO OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) THE CHILL TO THE TOWN THE THE TOWN THE T Fiese, et al., Jrnl of Antimicrobial Chemotherapy, 1990, 25, suppl. A, pgs 39-47 Anie, et al., Intrnl Jml of Pharmaceutics, 76, 1991, pgs 183-185 Khosla, et al., Intrnl Jrnl of Pharmaceutics, 62, 1990, pgs R9-R11 Knutson, et al., The Am Jrnl of Gastroenterology, 1989, vol. 84, no. 10, pgs 1278-1284 Jobin, et al., Br. J. Clin. Pharmac, 1985, 19, pgs 97S-105S Blankenhom, Socl. Exp. Boil. Med, 1955, 88, pgs 356-362 Graffner, et al., Pharm Research, vol. 7, no. 1, 1990, pgs 54-58 Fischer, et al., Pharm Research, vol. 4, no. 6, 1987, pgs 480-485 Welling, P., 1986, ACS Monograph 185, American Chemical Society, pp. 173-178 Langenbucher, et al., Br. J. Clin. Pharmac, 1985, 19, pgs 151S-162S **EXAMINER** DATE CONSIDERED EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.